

73666.1

PATENT



13017-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Applicants	:	GOELET, Philip <i>et al.</i>)	Examiner: MYERS, Carla J.
)	
Application No.:		09/258,132)	Group Art Unit: 1634
)	
Filing Date	:	26 February 1999)	
)	
Title:		"Nucleic Acid Typing By Polymerase)	
		Extension of Oligonucleotides Using)	
		Terminator Mixtures")	

Kalow & Springut LLP
488 Madison Avenue, 19th Floor
New York, New York 10022

14 October 2004

Mail Stop RCE
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97(b)(4)**

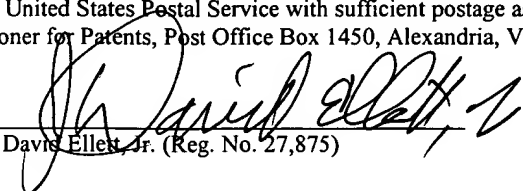
SIR or MADAM:

Pursuant to 37 CFR 1.97(b)(4), the attorneys for the applicants hereby bring to the attention of the Patent and Trademark Office the patents and publications broadly related to the field of the invention of the application identified on the accompanying Form PTO/SB/08. A copy of each of the items identified above is submitted with this statement with the exception of

Certificate of Mailing Under 37 CFR 1.8

I hereby declare that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, Post Office Box 1450, Alexandria, VA 22313-1450, on

14 October 2004
Date


J. Davis Ellett, Jr. (Reg. No. 27,875)

Applicant : GOELET, Philip *et al.*
Serial No.: 09/258,132
Filed : 26 February 1999
Page 2

United States patent documents and items which are marked on Form PTO/SB/08 with an asterisk; copies of which will be provided shortly.

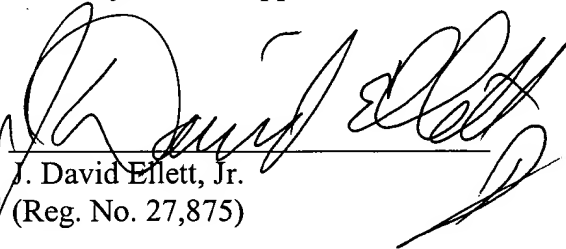
The attorneys for the applicants take no position on whether or not any item listed on Form PTO SB/08 constitutes prior art against the subject application under any particular provision of Title 35 of the United States Code.

The present information disclosure statement is being submitted simultaneously with a request for continued examination (RCE) of the application. A Notice of Allowance and Issue Fee Due was issued with respect to the subject application on 14 July 2004. Consequently, prosecution of the subject application is closed, as required under 37 CFR 1.114(b) for filing a request for continued examination. The time for payment of the issue fee for the application has been set for today, 14 October 2004. Consequently, the request for continued examination submitted herewith and the present information disclosure statement constituting a submission accompanying the request for continued examination as required under 37 CFR 1.114(a)(c) are being timely submitted with a certificate of first class mailing before abandonment of the subject application as required under 37 CFR 1.114(a).

Respectfully submitted,

Attorneys for the Applicants

By:



J. David Ellett, Jr.
(Reg. No. 27,875)

Telephone: (212) 813-1600

Substitute for form 1449/PTO

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1
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of

4

Complete if Known

Application Number	09/258.132
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09/258.132

Filing Date	26 February 1999
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26 February 1999

First Named Inventor	GOELET, Philip
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GOELET, Philip	
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Art Unit	1634
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1634

Examiner Name	MYERS, Carla J.
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MYERS, Carla J.

Attorney Docket Number	13017-3
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13017-3

U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

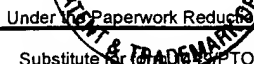
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)	MM-DD-YYYY			
		EP 0 123 513 A1	10-31-1984	Amersham		
		EP 0 237 362 A1	09-16-1987	Cetus		
		EP 0 333 465 A2	09-20-1989	Baylor Col. Med		
		EP 0 329 822 A2	08-30-1989	Cangene Corp.		
		EP 0 357 011 A2	03-07-1990	Abbot Labs.		
		EP 0 336 731 A2	10-11-1989	City of Hope		

Examiner Signature		Date Considered	
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Application Number	09/258,132
Filing Date	26 February 1999
First Named Inventor	GOELET, Philip
Art Unit	1634
Examiner Name	MYERS, Carla J.
Attorney Docket Number	13017-3

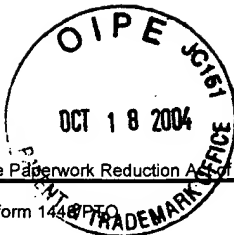
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ ~Number ⁴ ~Kind Code ⁵ (if known)	MM-DD-YYYY			
		EP 0 370 694 A2	05-30-1990	Eastman K/Cetus		
		EP 0 371 437 A2	06-06-1990	Orion-Thtyma		
		EP 0 412 883 A1	02-13-1991	Bertin & Cie		
		WO 89 09835 A1	10-19-1989	Salk Institute		
		WO 89 10414 A1	11-02-1989	Wallace & Skol.		
		WO 90 11372 A1	10-04-1990	Collective Res.		

Date
Considered

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**INFORMATION DISCLOSURE
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Art Unit	1634
Examiner Name	MYERS, Carla J.
Attorney Docket Number	13017-3

Sheet 3 of 4

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ANTONARAKIS, "Diagnosis of Genetic Disorders at the DNA Level," N. Engl. J. Med., 1989, pages 153-163, Volume 320.	
		BOS et al., "Prevalence of ras Gene Mutations in Human Colorecta Cancers," Nature, 1987, pages 293-297, Volume 327. *	
		FARR et al., "Analysis of RAS Gene Mutations in Acute Myeloid Leukemia by. . . Probes," Proc. Natl. Acad. Sci. USA, 1988, pages 1629-1633, Volume 85.	
		KAUS et al., Journal of Clinical Investigation, 1989, pages 1095-1101, Volume 83. *	
		KEREM et al., "Identification of the Cystic Fibrosis Gene: Genetic Analysis," Science, 1989, pages 1073-1080, Volume 245.	
		KLEPE et al., "Studies on Polynucleotides," J. Mol. Biol., 1971, pages 341-361, Volume 56.	
		MAHLEY et al., "Apolipoprotein E: Cholesterol Transport Protein With Expanding Role in Cell Biology," Science, 1988, pages 622-630, Volume 240. *	
		McLEAN et al., "Human Apolipoprotein E mRNA. . .," J. Biol. Chem., 1984, pages 6498-6504, Volume 259.	
		McMAHON et al., "Characterization of c-Ki-ras Oncogene. . .," Proc. Natl. Acad. Sci. USA, 1987, pages 4974-4978, Volume 84. *	
		MOREL et al., "Aspartic Acid at Position 57 of the HLA-DQ B Chain Protects Against. . . Study," Proc. Natl. Acad. Sci. USA, 1988, pages 8111-8115, Volume 85. *	

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SignatureDate
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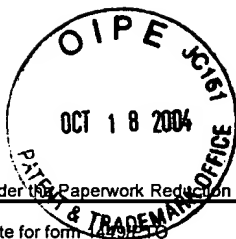
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STATEMENT BY APPLICANT**

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Sheet 4

of

4

Application Number

09/258,132

Filing Date

26 February 1999

First Named Inventor

GOELET, Philip

Art Unit

1634

Examiner Name

MYERS, Carla J.

Attorney Docket Number

13017-3

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Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		MULLIS et al., "Specifi. Synthesis of DNA in vitro v.s. Polymerase-Catalyzed," Chem. Reaction. Meth. in Enzymol., 1987, page 335, Volume 155.*	
		SCHARF et al., "HLA Class II Allelic Variation and Susceptibility to Pemphigus Vulgaris," Proc. Natl. Acad. Sci. USA, 1988, pages 3504-3508, Volume 85.*	
		THOMSON, "HLA Disease Associations: Models for Insulin. . . Disorders," Annu. Rev. Genet., 1988, pages 31-50, Volume 22.*	

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